

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DONALD DEAN DUVALL, #476526,

Petitioner,

v.

CASE NO. 2:09-CV-11663
HONORABLE DENISE PAGE HOOD

THOMAS K. BELL,

Respondent.

**ORDER DENYING MOTION FOR A CERTIFICATE OF APPEALABILITY AND
APPLICATION FOR LEAVE TO PROCEED IN FORMA PAUPERIS ON APPEAL**

This matter is before the Court on Petitioner's motion for a certificate of appealability and his application for leave to proceed *in forma pauperis* on appeal regarding the Court's denial of his petition for a writ of habeas corpus. The Court, however, denied a certificate of appealability and denied leave to proceed *in forma pauperis* on appeal in its opinion and order denying the petition. The Court finds no reason to reconsider that decision. A motion for reconsideration which presents issues already ruled upon by the court, either expressly or by reasonable implication, will not be granted. *See Hence v. Smith*, 49 F. Supp. 2d 547, 550 (E.D. Mich. 1999); *Czajkowski v. Tindall & Assoc., P.C.*, 967 F. Supp. 951, 952 (E.D. Mich. 1997). Petitioner has not met his burden of showing a palpable defect by which the Court has been misled or his burden of showing that a different disposition must result from a correction thereof, as required by Local Rule 7.1(h)(3). Accordingly, the Court **DENIES** Petitioner's motion and application.

IT IS SO ORDERED.

S/Denise Page Hood
United States District Judge

Dated: March 21, 2012

I hereby certify that a copy of the foregoing document was served upon Donald Duvall #476526, 4269 W. M-80, Kincheloe, MI 49784 and counsel of record on March 21, 2012, by electronic and/or ordinary mail.

S/LaShawn R. Saulsberry

Case Manager